AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

David Rasmussen)
Plaintiff	
v.) Civil Action No. 5:19-cv-04596-VK
Tesla, Inc.)
Defendant)

Plaintiff	ý
v.	Civil Action No. 5:19-cv-04596-VKD
Tesla, Inc.)
Defendant)
WAIVER OF THE SERVICE OF SUMMONS	
To: Edward Chen	
(Name of the plaintiff's attorney or unrepresented plaintiff)	
I have received your request to waive service of a s two copies of this waiver form, and a prepaid means of retu	ummons in this action along with a copy of the complaint, rning one signed copy of the form to you.
I, or the entity I represent, agree to save the expense	e of serving a summons and complaint in this case.
I understand that I, or the entity I represent, will jurisdiction, and the venue of the action, but that I waive an	keep all defenses or objections to the lawsuit, the court's y objections to the absence of a summons or of service.
60 days from 09/04/2019, the date wh United States). If I fail to do so, a default judgment will be	ast file and serve an answer or a motion under Rule 12 within en this request was sent (or 90 days if it was sent outside the entered against me or the entity I represent.
Date: $9 - 10 - 19$	Signature of the attorney or unrepresented party
Tesla, Inc.	Lynn Miller
Printed name of party waiving service of summons	Printed name
	901 Page Ave.
	Fremont, CA 94538
	Address
	miller@tesla.com
	E-mail address
	Telephone number
	-

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.